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Section 112

PATENT

ATTORNEY DOCKET NO.: 040894-5745

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Shinji YOSHIDA)
Application No.: 09/994,929) Group Art Unit: 2652
Filed: November 28, 2001) Examiner: Unassigned
For: DATA REPRODUCING DEVICE, HARD)
DISK, AND DATA STORING DISK)

Commissioner of Patents
BOX MISSING PARTS
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

1. This replies to the Notice to File Missing Parts of Nonprovisional Application mailed December 6, 2001.

A copy of the Notice To File Missing Parts Of Nonprovisional Application is enclosed.
2. Declaration Or Oath

☒ No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney.

☐ The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

☐ The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.
3. English Translation of Non-English Language Papers

☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

Also enclosed is the Verification of Translation Document.
4. Small Entity Status

☐ Small entity status under 37 C.F.R. § 1.27 is asserted for the present application.

5. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total months requested	Fee for extension	[fee for Small Entity]
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$200.00
<input type="checkbox"/> three months	\$ 920.00	\$460.00
<input type="checkbox"/> four months	\$1,440.00	\$720.00
<input type="checkbox"/> five months	\$1,960.00	\$980.00

Extension of time fee due with this request: \$_____

If an additional extension of time is required, please consider this a Petition therefor.

- ☒ Applicant believes that no extension of time is required. However, in the event applicant has inadvertently overlooked the need for a petition and fee for extension of time, applicant hereby petitions for such an extension and requests that any fee therefor be charged to our Deposit Account No. 50-0310.

6. Assignment

- ☒ An assignment of the invention to Funai Electric Co., Ltd. and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

7. Fee Calculation

				Fee Code
Basic Fee			\$740.00	101/201
	Number Filed	Number Extra	at a Rate of (Lg./Sm.Entity)	
Total Claims	10-20 =	0	\$18/\$9 each=	\$ 103/203
Independent Claims	8 - 3 =	5	\$84/\$42 each=	\$420.00 101/202
Multiple dependent claim(s), if any			\$280/\$140	\$ 104/204
SUB-TOTAL =			\$1160.00	
Late Filing Surcharge Fee (37 C.F.R. § 1.16(e))			\$130/\$65	\$130.00 105/205
Extension Fee (37 C.F.R. § 1.17(a)(1)-(5))			\$110/\$55 (1 Month)	115/215
			\$400/\$200 (2 Months)	116/216
			\$920/\$460 (3 Months)	117/217
			\$1440/\$720 (4 Months)	118/218
			\$1960/\$980 (5 Months)	\$ 128/228
SUB-TOTAL =			\$1290.00	
Fee For Application Filed With A Non-English Specification (37 C.F.R. § 1.17(i) and § 1.52(d))			\$130.00	\$ 139
Assignment Recordation Fee			\$ 40.00	\$40.00 581
TOTAL FILING FEE =			\$1330.00	

8. Fee Payment

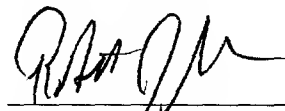
- ☒ Please charge Deposit Account No. 50-0310 in the amount of \$ 1330.00 representing the total fee due.
- ☐ The Commissioner is hereby authorized to charge the total fee due to Deposit Account 50-0310.
- ☒ **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

9. Additional papers enclosed.

- ☐ Preliminary Amendment
- ☒ Submission of Formal Drawings with 2 sheets of drawings containing 4 figures
- ☒ Claim for Priority
- ☒ Certified copy of priority documents: Japanese Utility Model Application No. 2000-8430 filed November 28, 2000 and Japanese Patent Application No. 2001-42112 filed February 19, 2001
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, _____ references as listed
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
- ☐ Other: _____

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



Robert J. Goodell
Reg. No. 41,040

Date: February 5, 2002

CUSTOMER NO. 09629

MORGAN, LEWIS & BOCKIUS LLP

1111 Pennsylvania Avenue, N.W.

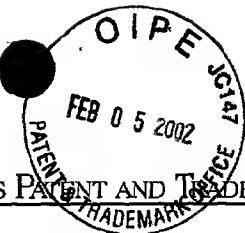
Washington, D.C. 20004

Telephone: (202) 739-3000

Facsimile: (202) 739-3001



UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/994,929	11/28/2001	Shinji Yoshida	040894-5745

009629
MORGAN, LEWIS & BOCKIUS
1800 M STREET NW
WASHINGTON, DC 20036-5869

CONFIRMATION NO. 7277

FORMALITIES LETTER



OC00000007161409

Date Mailed: 12/06/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$420.
 ▪ \$420 for 5 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1290.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1);

A copy of this notice MUST be returned with the reply.

Sady

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

20250202 06:44:00



#3

PATENT
ATTORNEY DOCKET NO. 040894-5741

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Shinji YOSHIDA)
)
Application No.: 09/994,929) Group Art Unit: 2652
)
Filed: November 28, 2001) Examiner: Unassigned
)
For: DATA REPRODUCING DEVICE, HARD)
DISK, AND DATA STORING DISK)

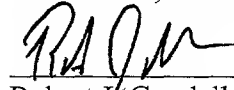
Commissioner for Patents
Washington, D.C. 20231

SUBMISSION OF FORMAL DRAWINGS

Filed herewith are two (2) sheets of formal patent drawings containing four (4) figures. It is requested that these drawings be approved and made part of the official record in the above-identified patent application.

If there are any fees due in connection with the filing of these drawings, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,
MORGAN, LEWIS & BOCKIUS LLP



Robert V. Goodell
Reg. No. 41,040

Dated: February 5, 2002
Customer No. 009629
MORGAN, LEWIS AND BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
WASHINGTON, D.C. 20004
(202)739-3000